

UNITED STATES OF AMERICA

GARY DEAN BALDWIN,

Case No. 1:09CR00043

ORDER

By: James P. Jones
United States District Judge

1. The defendant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C.A. § 2255 is GRANTED based on the finding that counsel was ineffective in failing to consult with the defendant concerning an appeal.

2. The clerk SHALL prepare and enter an Amended Judgment, in every respect the same as the previous Judgment except as to date of entry;

3. Upon entry of the Amended Judgment, counsel appointed to represent the defendant in the § 2255 proceedings shall consult with

the defendant and, if directed, file a timely notice of appeal from the Amended Judgment; and

4. The clerk SHALL close the § 2255 case, nothing further remaining to be done therein.

ENTER: June 11, 2012

/s/ James P. Jones
United States District Judge